REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 12, 17 and 23-25 are presently active in this case, Claims 1, 12 and 17 having been amended and Claims 23-25 having been added by the present amendment.

In the outstanding Official Action, Claims 1, 12 and 17 were rejected under 35 U.S.C. §102(b) as anticipated by, or in the alternative under 35 U.S.C. §103(a) as unpatentable over Park et al. (U.S. Pat. No. 6,453,384, herein "Park").

Support for amendments to Claims 1, 12 and 17 can be found in the originally filed specification on page 35, lines 13 to page 36, line 12. For instance, in a non-limiting example, the head (first) DMA reserved areas described on Page 35, lines 22-23 of the specification correspond, in a non-limiting example, to a first DMA set 1 of "the DMA sets" recited in the claims. That is, DMA set #1-1, DMA set #2-1, DMA set #3-1, and DMA set #4-1 described in the specification correspond to the first, second , third and fourth DMAs recited in the claims.

Similarly, the second DMA reserved areas described on Page 36, lines 3-4 of the specification correspond to the second DMA set 2 of "the DMA sets" recited in the claims. That is, DMA set #1-2, DMA set #2-2, DMA set #3-2, and DMA set #4-2 described on Page 36, lines 4-5 of the specification also correspond to the first, second, third and the fourth DMAs recited in the claims. Thus, the structure of using DMA sets in due order is shown from Page 35, line 13 to Page 36, line 12 of the specification. Hence, the recitation of "DMA sets used in due order" in Claims 1, 12 and 17 is supported by the specification.

In addition, support for new Claims 23-25 can also be found in the originally filed specification, for example in Figures 21 and 22. For instance, in a non-limiting example, a

first DMA set recited in new Claims 23, 24 and 25 is defined as a first DMA set 1, and the second DMA set is defined as a second DMA set 2.

The first DMA set 1 includes a first DMA 1-1, a second DMA 2-1, a third DMA 3-1, and a fourth DMA 4-1. Similarly, the second DMA set 2 includes a first DMA 1-2, a second DMA 2-2, a third DMA 3-2, and a fourth DMA 4-2.

A first reserved area R1 is located between the first DMA 1-1 and the second DMA 2-1, and a first reserved area R1-2 is located between the first DMA 1-2 and the second DMA 2-2. A second reserved area R2 is located between the second DMA 2-1 and the first DMA 1-2. A third reserved area R3 is located between the third DMA 3-1 and the fourth DMA 4-1, and a third reserved area R3-2 is located between the third DMA 3-2 and the fourth DMA 4-2. A fourth reserved area R4 is located between the fourth DMA 4-1 and the third DMA 3-2.

Based on the above, the first, second, third and fourth DMAs of the first DMA set, recited in new Claims 23, 24 and 25, correspond to DMA 1-1, DMA 2-1, DMA 3-1, and DMA 4-1 shown in FIG. 21 of the present application.

Further, the first, second, third and fourth DMAs of the second set recited in new Claims 23, 24 and 25 correspond to DMA 1-2, DMA 2-2, DMA 3-2, DMA 4-2 shown in FIG. 21.

Further, the first reserved areas (R1 & R1-2) recited in new Claims 23, 24 and 25 correspond, in a non-limiting example, to a "reserved" area located between DMA 1-1 and 2-1 and DMA 1-2 and 2-2 shown in FIG. 21. Similarly, the third reserved areas (R3 and R3-2) recited in new Claims 23, 24 and 25 correspond, in a non-limiting example, to a "reserved" area located between DMA 3-1 and 4-1 shown in FIG. 21 and the second reserved area R2 correspond, in a non-limiting example, to a "reserved" area located between DMA 2-1 and 1-2 shown in FIG. 21. The fourth reserved area R4 recited in new Claims 23, 24 and 25

correspond, in a non-limiting example, to a "reserved" area located between DMA 4-1 and 3-2 shown in FIG. 21.

The first DMA set 1 recited in new Claims 23, 24 and 25 correspond, in a non-limiting example, to one block including DMA set #1-1, DMA set #2-1, DMA set #3-1, DMA set #4-1 shown in FIG. 22. Further, the second DMA set 2 recited in new Claims 23, 24 and 25 correspond, in a non-limiting example, to one block including DMA set #1-2, DMA set #2-2, DMA set #3-2, DMA set #4-2 also shown in FIG. 22.

As clear from the above, the first reserved area R1-1 is arranged between the first DMA 1-1 and the second DMA 2-1. As a result, the physical distance between the first DMA 1-1 and the second DMA 2-1 is able to be increased and the risk of not being able to read the defect management information due to scars or dust is reduced.

In addition, as is noted above, a reserved area is arranged between the third DMA 3-1 and the fourth management area 4-1, the first DMA 1-2 and the second DMA 2-2, and the third DMA 3-2 and the fourth DMA 4-2.

In addition, in an additional non-limiting example, support for new Claims 23-25 is found in the embodiment in which a second reserved area R2 is arranged between the second DMA 2-1 included in the first DMA set 1 and the second DMA 2-1 included in the second DMA set 2. Similarly, a fourth reserved area R4 is arranged between the third DMA 3-1 included in the first DMA set 1 and the fourth DMA 4-2 included in the second DMA set 2.

Thus, the above noted configurations allow, for example, the information storage medium to ensure data reliability and access efficiency at a lower cost. In addition the information reproduction method recited in new Claim 24 reads the latest defect management information from the information storage medium with the above-described structure. Further, the information recording method recited in new Claim 25 replaces the current DMA

set with the next DMA set upon the detection of the defect in the current DMA set in the information storage medium with the above-described structure.

Addressing now the rejection of Claims 1, 12 and 17 under §102(a) or §103(b) under Park, that rejection is respectfully traversed.

Park describes an optical recording medium. In addition, Park illustrates in Figure 1 that DMA1 and DMA2 are arranged in a lead-in area and DMA3 and DMA4 are arranged in a lead-out area. Further, in col. 1, lines 43-44, Park describes storing the same information in each of DMA1, DMA2, DMA3, and DMA4. Moreover, FIGS. 6(A), 6(B), 6(C), 7(A), 7(B), and 7(C) of Park illustrates that SA1 and SA2 are arranged in a data area.

For instance, DMA1, DMA2, DMA3, and DMA4 disclosed in Park could be taken to correspond to the first, second, third and fourth DMAs and the SA1 or SA2 disclosed in Park could be taken to correspond, in a non-limiting example, to a spare area of Claims 1, 12 and 17.

However, Park cannot be taken to disclose the second DMA set which is recited in Claims 1, 12 and 17. In other words, a plurality of DMA sets are recited in Claims 1, 12 and 17 while only one DMA set is described in Park.

In Claims 1, 12 and 17, the first DMA set is replaced by the second DMA set based on detection of a defect in the first DMA set. Thereby, making it possible to maintain the reliability of defect management information stored in each of the first, second, third and fourth DMAs included the first DMA set.

In contrast, the disc described in Park includes only one DMA set. Thus, it is impossible to obtain, from the technique described in Park, the advantageous feature of maintaining reliability of defect management information by replacing the first, second, third and fourth DMAs included in the first DMA set.

Thus, Applicants respectfully submit that Park does not describe or suggest all of the features recited in Claims 1, 12 and 17. In addition, newly added Claims 1, 12, 17 and 23-25 recite techniques which are not disclosed or suggested in the Park reference.

Accordingly, Applicants respectfully submit that Claims 1, 12, 17 and 23-25 patentably distinguish over Park.

Consequently, in view of the present amendment and in light of the above comments, no further issues are believed to be outstanding, and the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

James J. Kulbaski
Attorney of Record
Registration No. 34,648

James Love
Registration No. 58,421